

UNITED STATES DISTRICT COURT
 for the
Eastern District of Michigan

United States of America

v.

Melquiades SALGADO-GARZA,

Case No. Case: 2:24-mj-30338
 Assigned To : Unassigned
 Assign. Date : 8/12/2024
 USA V. SALGADO-GARZA (CMP)(CMC)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 5, 2024 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

Title 8, United States Code, Section 1326(a),(b)(1) Unlawful Reentry Following Removal, Prior Felony Conviction

This criminal complaint is based on these facts:

On or about August 5, 2024, in the Eastern District of Michigan, Southern Division, Melquiades SALGADO-GARZA, a citizen and national of Mexico, who had previously been convicted of a felony offense, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about October 20, 2011 and not having received the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), (b)(1).

Continued on the attached sheet.



Complainant's signature

Brett A. Laug, Border Patrol Agent, DHS

Printed name and title



Judge's signature

Hon. Kimberly Altman, U.S. Magistrate Judge

Printed name and title

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

August 12, 2024
 Date: _____

City and state: Detroit, MI

AFFIDAVIT

I, Brett A. Laug, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents and record checks of law enforcement databases. I have also reviewed the immigration file and system automated data relating to Melquiades SALGADO-GARZA, which attests to the following:
2. SALGADO-GARZA is a 42-year-old male, native and citizen of Mexico, who last entered the United States at or near Mission, Texas, on or about August 1, 2024, without being admitted, inspected or paroled by an Immigration Officer.
3. On June 25, 2000, SALGADO-GARZA was arrested by the Detroit Police Department and charged with Larceny in a Building (felony). A warrant was issued by the Wayne County Prosecutor and was confirmed as active.
4. On September 12, 2000, SALGADO-GARZA was convicted of Burglary of Building (misdemeanor) by the County Court in Edinburg, Texas and sentenced to 10 days.

5. On December 7, 2001, SALGADO-GARZA was arrested by La Joya Texas Police Department and charged with Possession of Marijuana (misdemeanor). The disposition for this arrest was entered as HELD on December 7, 2001.
6. On May 13, 2002, SALGADO-GARZA was arrested by Hidalgo County Sheriff's Office for Burglary of Habitation. On August 5, 2002, SALGADO-Garza was convicted of Burglary of Habitation (felony) by the 332nd District Court Edinburg, Texas and sentenced to 7 years' probation.
7. On May 14, 2002, SALGADO-GARZA was arrested by Hidalgo County Sheriff's Office for Evading Arrest/Detention. On October 9, 2002, SALGADO-Garza was convicted of Evading Arrest / Detention (misdemeanor) by the County Court in Edinburg, Texas and sentenced to 84 days' imprisonment.
8. On October 16, 2002, SALGADO-GARZA was charged with Theft of Services greater than or equal to \$20 but less than \$500 (misdemeanor) and Forgery Govt / National Inst / Money / Security (felony) by the Hidalgo, County. Texas Sheriff's Office. The disposition comment for this arrest is listed as Held – Prosecutor has rejected the charge without a Pre-Trial Diversion.

9. On December 21, 2002, SALGADO-GARZA was encountered by Border Patrol Agents while incarcerated in the Hidalgo County Jail in Texas pending two charges; Theft of Services and Forgery Government Instrument/Money/Securities. No immigration detainer was issued at this time.
10. On April 11, 2003, Border Patrol Agents encountered SALGADO-GARZA and issued a Notice to Appear before an Immigration Judge. He was ordered removed from the United States on November 16, 2004, and was removed to Mexico on September 26, 2006, through Brownsville, Texas.
11. On February 07, 2007, SALGADO-GARZA was arrested by Hidalgo County Sheriff's Office for Evading Arrest. On February 22, 2007, SALGADO-GARZA was convicted of Evading Arrest/Detention and sentenced to 14 days' confinement.
12. On February 23, 2007, SALGADO-GARZA was encountered by Border Patrol Agents at the Hidalgo County Jail. He was arrested by Border Patrol Agents and processed for Reinstatement of his Prior Order of Removal. SALGADO-GARZA was removed to Mexico on February 23, 2007, through Hidalgo, Texas.
13. On February 28, 2007, SALGADO-GARZA was apprehended by Agents assigned to the McAllen Border Patrol Station and processed for criminal prosecution under 8 USC §1326, Unlawful Re-Entry Following Removal

(felony). On October 31, 2008, SALGADO-GARZA was sentenced to 63 months' custody.

14. On February 10, 2011, following his release from BOP custody, SALGADO-GARZA's prior order of removal was reinstated, and he was removed to Mexico on October 20, 2011, through New Orleans, Louisiana.
15. On August 5, 2024, Border Patrol Agents encountered SALGADO-GARZA, in Taylor, MI, when they were requested by another law enforcement agency to help verify the identity of a person in their custody. Record checks revealed that SALGADO-GARZA was a convicted felon, who had previously been removed from the United States. Upon questioning, SALGADO-GARZA acknowledged that he is a citizen of Mexico and does not have documents allowing him to enter or remain in the United States legally. SALGADO-GARZA was arrested and transported to the Gibraltar Border Patrol Station for processing.
16. SALGADO-GARZA'S fingerprints and photograph were captured and entered into Biometric systems. The results revealed that SALGADO-GARZA is a citizen of Mexico who has been previously removed from the United States after conviction of a felony offense. The record checks did not provide any evidence that SALGADO-GARZA legally entered the United States or had been issued any legal immigration document allowing him to enter or remain in the United States.

17. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
18. Review of the Alien File (A# XXX XXX 908) for Melquiades SALGADO-GARZA and queries in U.S. Department of Homeland Security databases confirm no record exists of SALGADO-GARZA obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States after his removal from the United States on October 20, 2011.
19. Based on the above information, I believe there is probable cause to conclude that Melquiades SALGADO-GARZA is an alien, who was previously convicted of a felony offense and who was found in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to

re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a), (b)(1).



Brett A. Laug, Border Patrol Agent
U.S. Department of Homeland Security

Subscribed and sworn to before me in my presence and/or by reliable electronic means.



Hon. Kimberly Altman
United States Magistrate Judge

Dated: August 12, 2024